

ENTERED

August 10, 2016

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**MANUEL MEDINA, AGUSTIN
MARTINEZ, individually and on behalf of
all similarly situated persons,**

: **NO. 4:15-CV-1320**

Plaintiffs,

: **JURY TRIAL DEMANDED**

v.

: **COLLECTIVE ACTION**

**PRO OILFIELD SERVICES, LLC f/k/a
MAXX OILFIELD SERVICES, LLC,**

: :

Defendant.

[PROPOSED] ORDER

Before the Court is “Plaintiffs’ Motion for Conditional Certification and to Facilitate Notice Pursuant to 29 U.S.C. § 216(b).” After considering Plaintiffs’ Motion, Defendant’s Response, all other pleadings on file, and the arguments of Counsel, the Court is of the opinion that Plaintiffs’ Motion for Conditional Certification and to Facilitate Notice Pursuant to 29 U.S.C. § 216(b) should be GRANTED.

It is therefore ORDERED that:

1. Plaintiffs’ FLSA claim is conditionally certified as a collective action on behalf all current or former employees of Pro Oilfield Services, LLC f/k/a Maxx Oilfield Services, LLC’s (“Pro Oilfield”) who performed work for Pro Oilfield in the field in its Torque and Test Division in the United States from AUGUST 10, 2013 to the present, and who were paid a salary plus one or more day rate payments (“Collective Members”).

2. Plaintiffs’ proposed Notice and Consent to Join Form, attached as Exhibits 1 and 2, respectively, to Plaintiffs’ Motion are approved.

3. Within ten (10) days of the entry of this Order, Defendant Pro Oilfield Services, Inc. shall disclose to Plaintiffs the names, last known addresses, email addresses (if available), telephone numbers, dates of employment, and last four digits of the social security numbers of all Collective Members. This information must be provided to Plaintiffs in usable electronic form, if available.

4. Within twenty (20) days from the order approving Notice to Collective Members (the "Notice Date"), Plaintiffs shall cause the Notice and Consent to Join Form to be sent via regular mail (with an enclosed self-addressed stamped return envelope) and email to all Collective Members who performed work within three years prior to the date of this Order who have not already filed Consent Forms on the docket, and Plaintiffs' counsel may utilize a third-party Notice Administrator for this purpose. Plaintiffs and/or the Notice Administrator may undertake reasonable efforts to attempt to locate Collective Members for whom notices are returned as undeliverable.

5. By the Notice Date, Defendant shall post a copy of the Notice in appropriate, conspicuous, visible and accessible places at each of its facilities, shops and field trailers, where it will be seen by current Collective Members for a period of ninety (90) days.

6. All Collective Members shall be provided with ninety (90) days from the Notice Date to "opt-in" to this lawsuit (the "Opt-In Period"). Collective Members may submit their Consent Forms via regular mail, electronic mail, or facsimile, and they may execute and submit their Consent Forms online through an electronic signature service that will be established by Plaintiffs' counsel or the Notice Administrator.

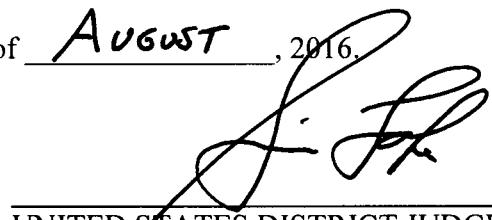
7. A duplicate copy of the Notice and Consent Form may be sent as a reminder notice forty-five days after the Notice Date to Collective Members who have not returned their

Consent form as of that date. Plaintiffs' Counsel or the Notice Administrator is authorized to call Collective Members if other methods of contact fail.

8. All Consent Forms will be deemed to have been filed with the Court the date that they are stamped as received by Plaintiffs' counsel or the Notice Administrator, and Plaintiffs' counsel will file them electronically on the docket on a weekly basis.

9. Finally, Pro Oilfield is hereby prohibited from communicating, directly or indirectly, with any current or former Collective Members about any matters which touch or concern the settlement of any outstanding wage claims, or other matters related to this suit, during the Opt-In Period. Pro Oilfield shall so instruct all of its managers. This order shall not restrict Pro Oilfield from discussing with any current employee matters that arise in the normal course of business.

ORDERED this 10th day of AUGUST, 2016.

A handwritten signature in black ink, appearing to read "S. J. S.", is written over the date and year.

UNITED STATES DISTRICT JUDGE